

The parties having notified the Court that they have reached a resolution of this action,

IT IS HEREBY ORDERED that this action be, and the same hereby is, discontinued with prejudice but without costs; provided, however, that within forty-five days of the date of this Order, counsel for either party may apply by letter for restoration of the action to the calendar of the undersigned if the

settlement is not effected, in which event the action will be restored.

SO ORDERED:

Shira A. Scheindlin

U.S.D.J.

Dated: New York, New York

April 16, 2008

- Appearances -

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